



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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RE: Patent Application for Bullock  
Serial No.: 09/886,937  
Filed: June 21, 2001  
For: Shaken Not Stirred

Date: September 15, 2002  
Art Unit: 1638  
Examiner:  
Action: Information Disclosure with  
Articles along with Form PTO-  
1449

TECH CENTER 1600/2900

To: The Commissioner of Patents and Trademarks, Washington, DC 20231

The documents identified on the attached form PTO-1449 have come to the attention of the undersigned in connection with the subject application. Copies of these documents are also attached, unless otherwise indicated below, and it is respectfully requested that they be made of record in this proceeding. The identification of these documents is for the purpose of meeting Applicant's duty to disclosure under 37 C.F.R. 1.56 and is not intended to be an admission that any of these documents constitute prior art as to the invention disclosed in the subject application.

## FOREIGN PATENTS

<u>Date of Publication</u>	<u>Date of Filing</u>	<u>Foreign Patent No.</u>	<u>Applicant</u>
December 11, 1997	August 8, 1990	EP 0 485 506 B1	Adams, et. al.

## U.S. PATENTS

<u>Filing</u>	<u>Issue</u>	<u>U.S. Patent</u>	<u>Inventor</u>
December 11, 1991	April 12, 1994	5,302,523	Coffee, et. al.
January 14, 1994	November 7, 1995	5,464,765	Coffee, et. al.
August 1, 1985	May 10, 1988	4,743,548	Crossway, et. al.

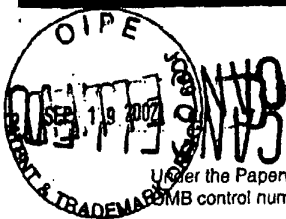
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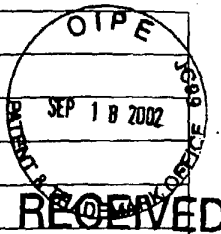
PTO/SB/08A (10-01)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (use as many sheets as necessary)	Complete if Known	
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Sheet <u>2</u> of <u>6</u>	Attorney Docket Number	031-3

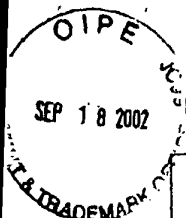


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## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS TECH CENTER 1600/2900

Examiner Initials	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		BULLOCK, W.P., D. FOSTER, T. FRIEND, A. GREENLAND, D. DIAS, AND V. KASTER. <i>Transgene Silencing in Maize: Phenotypic Segregation Analysis</i> . Illinois Plant Breeder School Proceedings: 157-190 (1998).	
	2	REGISTER, J.C., D.J. PETTERSON, P.J. BELL, W.P. BULLOCK, I.J. EVANS, B. FRAME, A.J. GREENLAND, N.S. HIGGS, I. JEPSON, S. JIAO, C.J. LEWNAU, J.M. SILLICK, AND H.M. WILSON. <i>Structure and Function of Selectable and Non-Selectable Transgenes in Maize After Introduction by Particle Bombardment</i> . Plant Molecular Biology 23: 951-961 (1994).	
	3	CHU CHIH-CHINGT. <i>The N<sub>5</sub> Medium and Its Applications to Anther Culture of Cereal Crops</i> . Institute of Botany, Academia Sinica, 43-50.	
	4	MURASHIGE, T. AND F. SKOOG. <i>A Revised Medium for Rapid Growth and Bioassays with Tobacco Tissue Cultures</i> . Physiol. Plant 15: 473-497 (1962).	
	5	GERALD L. VAUGHAN, JACQUELINE JORDAN, AND SUSAN KARR. <i>The Toxicity, in Vitro, of Silicon Carbide Whiskers</i> . Environmental Research 57-60 (12-4-1990).	
	6	ARMSTRONG, C.L. <i>The First Decade of Maize Transformation: A Review and Future Perspective</i> . Maydica 44: 101-109 (1999).	
	7	ASANO, Y., Y. OTSUKI, AND M. UGAKI. <i>Electroporation-Mediated and Silicon Carbide Fiber-Mediated DNA Delivery in Agrostis alba L. (Redtop)</i> . Plant Science 79: 247-252 (1991).	
	8	BRISIBE, E.A., A. GAJDOSAVA, A. OLESEN, AND S.B. ANDERSEN. <i>Cytodifferentiation and Transformation of Embryogenic Callus Lines Derived from Anther Culture of Wheat</i> . Journal of Experimental Botany 51: 187-196 (2000).	
	9	DALTON, S.J., A.J. E. BETTANY, E. TIMMS, AND P. MORRIS. <i>Transgenic Plants of Lolium multiflorum, Lolium perenne, Festuca arundinacea, and Agrostis stolonifera by Silicon Carbide Fibre-Mediated Transformation of Cell Suspensions</i> . Plant Science 132: 31-43 (1997).	
	10	DUNAHAY, T.G. <i>Transformation of Chlamydomonas reinhardtii with Silicon Carbide Whiskers</i> . Biotechniques 15: 452-460 (1993).	
	11	DUNAHAY, T.G., S.A. ADLER, J.W. JARVIK. <i>Transformation of Microalgae Using Silicon Carbide Whiskers</i> . Methods in Molecular Biology, Vol. 62: Recombinant Gene Expression Protocols, pp. 503-509 (1997).	
	12	FINER, J.J. AND M.D. MCMULLEN. <i>Transformation of Soybean Via Particle Bombardment of Embryogenic Suspension Culture Tissue</i> . In Vitro Cell. Dev. Biol. 27P:175-182 (1991).	
Examiner Signature			Date Considered

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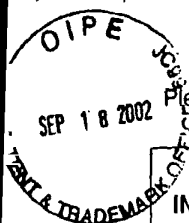
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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T2
	13	FINER, J.J., K.R. FINER, AND E.R. SANTAREM. PLANT CELL TRANSFORMATION, PHYSICAL METHODS FOR. ENCYCLOPEDIA OF MOLECULAR BIOLOGY AND MOLECULAR MEDICINE VOL. 4: MASS SPECTROMETRY HIGH SPEED DNA FRAGMENT SIZING TO PLASMA LIPOPROTEINS, PP. 458-465 (1996).	
	14	FRAME, B. R., P. DRAYTON, S. BAGNALL, C. LEWNAU, P. BULLOCK, M. WILSON, J. DUNWELL, J. THOMPSON, AND K. WANG. PRODUCTION OF FERTILE TRANSGENIC MAIZE PLANTS BY SILICON CARBIDE WHISKER MEDIATED TRANSFORMATION. THE PLANT JOURNAL 6: 941-948 (1994).	
	15	KAEPPLER, H.F., W. GU, D.A. SOMER, H.W. RINES, AND A. COCKBURN. <i>Silicon Carbide Fiber-Mediated DNA Delivery into Plant Cells</i> . Plant Cell Reports 9: 415-418 (1990).	
	16	KAEPPLER, H.F., D.A. SOMERS, H. W. RINES, AND A. COCKBURN. <i>Silicon Carbide Fiber-Mediated Stable Transformation of Plant Cells</i> . Theoretical and Applied Genetics. 84: 560-566 (1992).	
	17	MATSUSHITA, J., M. OTANI, Y. WAKITA, O. TANAKA, AND T. SHIMADA. TRANSGENIC PLANT REGENERATION THROUGH SILICON CARBIDE WHISKER-MEDIATED TRANSFORMATION OF RICE (ORYZA SATIVA L.). BREEDING SCIENCE 49: 21-26 (1999).	
	18	NAGATANI, N., H. HONDA, T. SHIMADA, AND T. KOBAYASHI. DNA DELIVERY INTO RICE CELLS AND TRANSFORMATION USING SILICON CARBIDE WHISKERS. BIOTECHNOLOGY TECHNIQUES. 11:471-473 (1997).	
	19	PARROTT, W.A., J.N. ALL, M.J. ADANG, M.A. BAILEY, H.R. BOERMA, AND C.N. STEWART, JR. <i>Recovery and Evaluation of Soybean Plants Transgenic for a Bacillus thuringiensis var. Kurstaki Insecticidal Gene</i> . Society for In Vitro Biology 144-149 (5-14-1993).	
	20	PETOLINO, J.F., N.L. HOPKINS, B.D. KOSEGI, M. SKOKUT. WHISKER MEDIATED TRANSFORMATION OF EMBRYOGENIC CALLUS OF MAIZE. PLANT CELL REPORTS 19 (8): 781-786 (2000).	
	21	ROECKEL, P., P. HEIZMANN, M. DUBOIS, AND C. DUMAS. <i>Attempts to Transform Zea mays via Pollen Grains</i> . Sex. Plant Reprod. 1:156-163 (1988).	
	22	SERIK, O., I. AINUR, K. MURAT, M. TETSUO, AND I. MASAKI. <i>Silicon Carbide Fiber-Mediated DNA Delivery into Cells of Wheat (Triticum aestivum L.) Mature Embryos</i> . Plant Cell Reports 16: 133-136 (1996).	
	23	SOLOKI, M., P.G. ALDERSON, AND G TUCKER. <i>Genetic Transformation of Grape Using Agrobacterium and Silicon Carbide Whiskers</i> . In M.R. Davey, P.G. Anderson, K.C. Lowe (Eds) Tree Biotechnology: Towards the Millennium. pp. 325-330. (1998). <u>Vortex Mixer (Genie II)</u>	

gfh George Helmer approve



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OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS			
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<i>dl</i>	24	SONGSTAD, D.D., D.A. SOMERS, AND R.J. GRIESBACH. <i>Advances in Alternative DNA Delivery Techniques</i> . Plant Cell, Tissue and Organ Culture 40: 1-15 (1995).	
<i> </i>	25	SOUTHGATE, E.M., M.R. DAVEY, J.B. POWER, AND R.J. WESTCOTT. <i>A Comparison of Methods for Direct Gene Transfer into Maize (Zea mays L.)</i> . In Vitro Cell. Dev. Biol.-Plant 34:218-224 (1998).	
<i> </i>	26	SPANGENBERG, G. <i>Application of Biotechnology in Pasture Plant Improvement</i> . Proc. of Int'l Workshop Utilization of Transgenic Plant and Genome Analysis in Forage Crops, p. 9-30, Nishinasuno, Tochigi, Japan (1998).	
<i> </i>	27	TAKAHASHI, W., T. SHIMADA, J. MATSUSHITA, AND O. TANAKA. <i>Aluminium Borate Whisker-Mediated DNA Delivery into Callus of Rice and Production of Transgenic Rice Plant</i> . Plant Prod. Sci. 3: 219-224 (2000).	
<i> </i>	28	THOMPSON, J.A., P.R. DRAYTON, B.R. FRAME, K. WANG, AND I.M. DUNWELL. <i>Maize Transformation Utilizing Silicon Carbide Whiskers: A Review</i> . Euphytica 85: 75-80 (1995).	
<i> </i>	29	WANG, K., P. DRAYTON, B. FRAME, J. DUNWELL, AND J.A. THOMPSON. <i>Whisker-Mediated Plant Transformation: An Alternative Technology</i> . In Vitro Cellular and Developmental Biology 31: 101-104 (1995).	
<i> </i>	30	ARMSTRONG, CHARLES L. TRANSGENIC CORN: TEN YEARS DOWN, WHAT WILL THE NEXT TEN BRING? 54TH ANNUAL CORN & SORGHUM RESEARCH CONFERENCE. 124-135.	
<i> </i>	31	GREEN, C.E. AND RHODES, C.A. PLANT REGENERATION IN TISSUE CULTURES OF MAIZE. DEPARTMENT OF AGRONOMY AND PLANT GENETICS, UNIVERSITY OF MINNESOTA. 367-372 (1982).	
<i> </i>	32	ARMSTRONG, C.L. THE FIRST DECADE OF MAIZE TRANSFORMATION: A REVIEW AND FUTURE PERSPECTIVE. MAYDICA 44: 101-109 (1999).	
<i> </i>	33	RÉDEL, GEORGE P. GENETICS MANUAL, CURRENT THEORY, CONCEPTS, TERMS. UNIVERSITY OF MISSOURI, WORLD SCIENTIFIC PUBLISHING CO. PTE. LTD. (1998).	
<i>gm</i>	34	WARREN, G. S., THOMAS, PIOUS, HERRERA, M. HILL, S.J. AND TERRY, R. F. THE USE OF PLANT CELL CULTURES FOR STUDYING VIRUS RESISTANCE, AND ENHANCING THE PRODUCTION OF VIRUS-RESISTANT AND VIRUS-FREE PLANTS. JOURNAL OF BIOTECHNOLOGY 171-201 (1992).	

*George Helmer*

*9 Apr 04*

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<i>gh</i>	35	KAEPPLER, H.F., W. GU, D.A. SOMER, H.W. RINES, AND A. COCKBURN. <i>Silicon Carbide Fiber-Mediated DNA Delivery into Plant Cells</i> . Plant Cell Reports 9: 415-418 (1990).	
	36	APPEL, J.D., T.M. FASY, D.S. KOHTZ, E.M. JOHNSON. <i>Asbestos Fibres Media Transformation of Monkey Cells by Exogenous Plasmid DNA</i> . Proc. Natl. Acad. Sci. 85:7670-7674 (1988).	
	37	COSTANZO, MARIA C. and FOX, THOMAS D. <i>Transformation of Yeast by Agitation With Glass Beads</i> . Genetics 120: 667-670 (November, 1988).	
	38	APPEL, J.D., T.M. FASY, D.S. KOHTZ, E.M. JOHNSON. <i>Asbestos Fibres Media Transformation of Monkey Cells by Exogenous Plasmid DNA</i> . Proc. Natl. Acad. Sci. 85:7670-7674 (1988).	
	39	FECHHEIMER, M., BOYLAN, J.F., PARKER, S. SISKEN, J.E., PATEL, G.L. and ZIMMER, S.G. <i>Transfection of Mammalian Cells with Plasmid DNA by Scrape Loading and Sonication Loading</i> . Proc. Natl. Acad. Sci. USA, Vol.: 84, pp 8463-8467 (December 1987).	
	40	FANG-SHENG WU and HARRY H. MURAKISHI. <i>Infection and Synthesis Rate of Southern Bean Mosaic Virus in Soybean Callus Cells under Selected Cultural Conditions</i> . Journal Series Article 8190 of the Michigan Agricultural Experiment Station. 1389-1392 (March 14, 1978).	
	41	KAEPPLER, H.F., D.A. SOMERS, H. W. RINES, AND A. COCKBURN. <i>Silicon Carbide Fiber-Mediated Stable Transformation of Plant Cells</i> . Theoretical and Applied Genetics. 84: 560-566 (1992).	
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	43	JESSICA MORRISON SILVA. <i>Diligence and Ingenuity Pay Off in a Genetic Engineering Laboratory</i> . Americans in Agriculture Portraits of Diversity 114-116 (1990).	
	44	P.J. HAREST, D. LACHANCE, C. JONES and Y. DEVANTIER. <i>Microprojectile and Silicon Carbide Mediated DNA delivery in Conifers and recovery of Transgenic Black Spruce (Picea mariana)</i> . Poster for Gordon Conference, Ontario, Canada, 1 page.	
	45	R. C. BROWN, J. A. HOSKINS and J. YOUNG. <i>Not Allowing the Dust to Settle</i> . Chemistry in Britain, 6 pages (October 1992).	
<i>gh</i>	46	B. ALBERTS, D. BRAY, J. LEWIS, M. RAFF, K. ROBERTS and J. D. WATSON. <i>Special Features of Plant Cells</i> . Molecular Biology of The Cell, Garland Publishing, Inc. (2 <sup>nd</sup> Edition) page 1099 (1983).	

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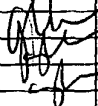
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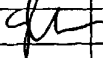
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Examiner Initials	Cite No. 1	Number - Kind Code2 (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1	US 5,302,523	04-12-1994	Coffee, et. al.	
	2	US 5,464,765	11-07-1995	Coffee, et. al.	
	3	US 4,743,548	05-10-1988	Crossway, et. al.	
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FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Country Code* -Number* - Kind Code* (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
		EP 0 485 506 B1	12-11-1997	Adams, et. al.		
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Examiner Signature	<i>Georgin Hemen</i>	Date Considered	<i>9 April 2008</i>
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